



05-24-04

DT02 Rec'd PCT/PTO 22 MAY 2004

2862\$

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<b>TRANSMITTAL FORM</b>  (for all correspondence after initial filing)	Attorney Docket No. <b>ONX-117A</b>	Total Pages
	Application Number <b>09/851,587</b>	
	Filing Date <b>MAY 8, 2001</b>	
	First Named Inventor <b>MURALI CHAPARALA</b>	
	Group Art Unit <b>2862</b>	
	Examiner <b>SUBHAS A. ZAVERI</b>	

ENCLOSURES (check all that apply)	
<input type="checkbox"/> Return Receipt Postcard (MPEP 503)	<input type="checkbox"/> Response to Notice of Missing Parts
<input checked="" type="checkbox"/> Fee Transmittal Form – 1 page	<input type="checkbox"/> Applicant Claims Small Entity Status
<input checked="" type="checkbox"/> Fee Attached: Credit Card Payment, PTO-2038	<input type="checkbox"/> Declaration by Inventors
<input type="checkbox"/> Response/Amendment	<input type="checkbox"/> Assignment papers
<input type="checkbox"/> After Final Rejection	<input type="checkbox"/> Power of Attorney by Assignee
<input type="checkbox"/> After Allowance communication to Group	<input checked="" type="checkbox"/> IDS/PTO-1449
<input type="checkbox"/> with Corrected Drawing(s) Total Sheets: [ ]	<input checked="" type="checkbox"/> with copies of cited references
<input type="checkbox"/> with Replacement Sheet(s) Total Sheets: [ ]	Miller et al. article – 6 pages
<input type="checkbox"/> with Affidavits/Declarations	Eyre et al. article – 4 pages
<input type="checkbox"/> Extension of Time Request	US Patents 6,359,741, 5,629,918,
<input type="checkbox"/> Terminal Disclaimer under 37 CFR 1.321(c)	6,528,887
<input type="checkbox"/> Express Abandonment Request	US Patent Publication 2002/0167307
	<input type="checkbox"/> New Power of Attorney and Revocation of Old
	<input type="checkbox"/> Change of Correspondence Address
	<input type="checkbox"/> Other:

SIGNATURE OF ATTORNEY	
NAME	<b>JOSHUA D. ISENBERG, REG. NO. 41,088</b>
Signature	<i>Joshua D. Isenberg</i>
Date	<b>5/22/2004</b>

Certificate of Express Facsimile Transmission	
I hereby certify that I am mailing this correspondence on the date indicated below to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313, using the "Express Mail Post Office to Addressee" service of the United States Postal Service under 37 CFR 1.10.	
SIGNATURE	DATE OF MAILING: <b>MAY 22, 2004</b>
<i>Bm Li</i>	EXPRESS MAIL LABEL #: <b>ER 504326718 US</b>
NAME OF PERSON SIGNING	

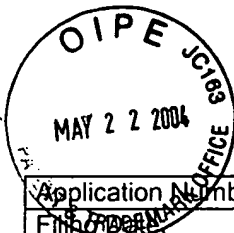
SMC/3

4002

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OIP/ JC183  
MAY 27 2004

RECEIVED



## FEE TRANSMITTAL

Application Number:	09/851,587
Filing Date:	May 8, 2001
First Named Inventor:	Murali Chaparala
Title of Invention:	MAGNETIC POSITION DETECTION FOR MICROMACHINED OPTICAL ELEMENT
Group Art Unit:	2862
Examiner:	Subhash A. Zaveri
Attorney Docket No.:	ONX-117A

### Fee Calculation:

for ☒ Large Entity / ☐ Small Entity.

#### Basic Billing Fee:

<input type="checkbox"/> Utility Patent Application:	\$770 / \$385	\$
<input type="checkbox"/> Provisional Patent Application:	\$160 / \$80	\$

#### Claims:

<input type="checkbox"/> Number of Total Claims Over 20: <input type="checkbox"/>	x \$18 / \$9 =	\$
<input type="checkbox"/> No. of Independent Claims Over 3: <input type="checkbox"/>	x \$86 / \$43 =	\$

#### Other Fees:

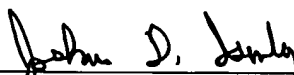

<input type="checkbox"/> Extension of time, 1 month	\$110 / \$55	\$
<input type="checkbox"/> Extension of time, 2 months	\$420 / \$210	\$
<input type="checkbox"/> Extension of time, 3 months	\$950 / \$475	\$
<input type="checkbox"/> Extension of time, 4 months	\$1480 / \$740	\$
<input type="checkbox"/> Missing Parts Surcharge (Regular Application)	\$130 / \$65	\$
<input type="checkbox"/> Missing Parts Surcharge (Provisional Application)	\$50 / \$25	\$
<input type="checkbox"/> Recordation of Assignment Document	\$40	\$
<input type="checkbox"/> Issue Fee	\$1330 / \$665	\$
<input type="checkbox"/> Printed Patent; Number of Copies: <input type="checkbox"/>	x \$3 =	\$
<input checked="" type="checkbox"/> IDS Fee Under 37 CFR 1.17(p)	\$180	\$ 180
<input type="checkbox"/> Terminal Disclaimer fee 37 CFR 1.20	\$55 / \$110	\$

**TOTAL PAYMENT:** \$ 180

#### Method of Payment:

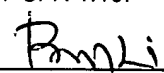
☒ Payment Enclosed: Credit Card Payment Form (PTO-2038) for \$180

#### Signature of Applicant, Attorney, or Agent

	
Joshua D. Isenberg, Reg. No. 41,088	Date

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DATE OF MAILING: MAY 22, 2004

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EXPRESS MAIL LABEL #: ER 504326718US

BING LI

NAME OF PERSON SIGNING



Docket No: ONX-117A

## In the United States Patent and Trademark Office

Application No.:

09/851,587

Title:

May 8, 2001

MAGNETIC POSITION DETECTION FOR MICRO MACHINED OPTICAL ELEMENT

Applicant:

Murali Chaparala

Examiner:

Subhash Zaveri

Art Unit

2862

Express Mail #: ER 504326718 US

Mailed : May 22, 2004

### Information Disclosure Statement

Commissioner of Patents and Trademarks

Washington, District of Columbia 20231

Dear Sir or Madam:

Attached is a completed Form PTO-1449 and copies of the pertinent parts of the references cited thereon.

It is requested that the document(s) on the enclosed form be made of record. As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

It is requested that the document(s) on the enclosed form be made of record.

#### Part I (Authority)

This statement is filed pursuant to:

( ) 37 C.F.R. § 1.97(b).

This information disclosure statement is filed either (1) within three months of the filing date of the national applications; (2) within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application; (3) before the mailing date of a first office action on the merits; or (4) before the mailing of a first Office action after the filing of a request for continued examination under § 1.114, whichever event occurs last.

Accordingly, this information disclosure statement requires no fee and no certification.

(X) 37 C.F.R. § 1.97(c).

This information disclosure statement is filed after the period specified in 37 C.F.R. § 1.97(b), but before the mailing date of either (1) a final action under 37 C.F.R. § 1.113 or (2) a notice of allowance under 37 C.F.R. § 1.311.

Accordingly, this information disclosure statement requires either the fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) (\$180), or a certification according to 37 C.F.R. § 1.97(e).

( ) 37 C.F.R. § 1.97(d).

This information disclosure statement is filed after the period specified in 37 C.F.R. § 1.97(c).

Accordingly, this information disclosure statement requires the petition fee specified in 37 C.F.R. § 1.17(p) to consider an information disclosure statement under 37 C.F.R. § 1.97(d) (\$180) and a certification according to 37 C.F.R. § 1.97(e).

#### Conditional Petition

It is respectfully requested that this information disclosure statement be considered, good cause being presented in Part III herein (certification). Please treat this paper as the required petition.

If this statement crosses in the mail with an office action, or is otherwise not in the indicated category of 37 C.F.R. § 1.97, it is respectfully requested that this statement be treated in the next appropriate category and made of record.

To the extent required, please treat this paper as a conditional petition for acceptance of the information disclosure statement.

## **Part II (Payment)**

A check is enclosed as indicated:

- ☐ No fee is due.
- ☒ The fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) is enclosed (\$180).
- ☐ The petition fee specified in 37 C.F.R. § 1.17(p) to consider an information disclosure statement under 37 C.F.R. § 1.97(d) is enclosed (\$180).

## **Part III (Certification)**

Pursuant to 37 C.F.R. § 1.97(e), I certify:

- ☒ No certification is necessary.
- ☐ (1) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement.
- ☐ The "communication from a foreign patent office" referred to in the certification is an International Search Report, possibly issued by the U.S. Patent and Trademark Office in its capacity as an International Search Authority or International Preliminary Examining Authority.
- ☐ The "counterpart foreign application" referred to in the certification corresponds to an ancestor or descendent application of the application for which this information disclosure statement is filed.
- ☐ (2) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c), more than three months prior to the filing of the statement.

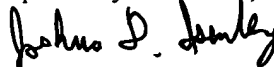
## **Part IV (Additional Statement)**

An additional statement regarding these items of information ☐ is, ☒ is not, enclosed.

Copies of the cited art ☒ are enclosed, ☐ are of record in parent application Serial No. \_\_\_\_\_ and will be provided if the Examiner deems it convenient.

Dated: 5/22/2004

Respectfully submitted,



Joshua D. Isenberg  
Reg. No. 41,088  
204 Castro Lane  
Fremont, CA 94539  
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fax: (510) 360-9656



FORM 10-1449 U.S. DEPARTMENT OF COMMERCE				AGENT. DOCKET NO. <b>ONX-117A</b>		SERIAL NO. <b>09/851,587</b>	
<b>LIST OF PRIOR ART CITED BY APPLICANT</b> (Use several sheets if necessary)				APPLICANT <b>Murali Chaparala</b>			
				FILING DATE <b>May 8, 2001</b>		GROUP <b>2862</b>	
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		6,359,741	3/12/2002	Bilotti et al.	455	90	6/22/1999
		5,629,918	5/13/1997	Ho et al.	369	112	1/20/1995
		6,528,887	3/4/2003	Daneman et al.	257	774	3/1/2001
		2002/0167307	11/14/2002	Chaparala et al.	324	207.13	5/11/2001
<b>FOREIGN PATENT DOCUMENTS</b>							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
							YES NO
<b>OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
	A	Eyre et al. "MEMS Magnetic Sensor in Standard CMOS, Science Closure and Enabling Technologies for Constellation Class" [online], [retrieved on 2002-03-17]. Retrieved from the Internet <URL: <a href="http://sprg.ssl.Berkeley.edu/ConstellationClassMissions/eyre.pdf">http://sprg.ssl.Berkeley.edu/ConstellationClassMissions/eyre.pdf</a> >					
	B	Miller R. et al. "A Megnetically Actuated MEMS Scanning Mirror", International Society for Optical Engineering, Vol. 2687 (March 1996), pp. 47-52.					
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			
* <b>EXAMINER:</b> Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							